Executive Order #: E-34 Effective Date: 5/22/90

DATA PRIVACY

EXECUTIVE ORDER:

City managers are often called upon to provide, upon request, personnel data on current and former employees, and except for data maintained for an undercover police officer, the following personnel data for current and former employees is public under the Minnesota Government Data Practices Act:

- name
- actual gross salary
- salary range
- contract fees
- actual gross pension
- the value and nature of employer paid fringe benefits
- the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary
- job title
- job description
- education and training background
- previous work experience
- date of first and last employment
- work location
- a work telephone number
- badge number
- honors and awards received
- payroll time sheets or other comparable data that are only used to account for employee=s work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee=s reasons for the use of sick or other medical leave or other not public data
- eity and county residence effective August 1, 2004, no longer public information per Minnesota State Legislature HF2087, Sec. 4, Subd. 2.
- veteran status
- relevant test scores
- rank on eligible list

The following data is also public, but shall be released only after approval by the City Attorney:

- the status of any complaints or charges against the employee
- whether or not the complaint or charge resulted in a disciplinary action
- final disposition of any disciplinary action and supporting documentation

In addition to the above Executive Order, the Office of Human Resources follows the procedures below:

- 1. The following information about current and former applicants for employment is generally available to the public on request:
 - veteran status
 - relevant test scores
 - rank on eligible list
 - job history
 - education and training
 - work availability

<u>NOTE:</u> The names of applicants are not available to the public until they are certified as eligibles for an appointment or vacancy.

2. All other personnel data is considered private data on individuals, except when requested by a valid court order.

This means that this data is available only to the individual involved, and to those employees who must handle the information in course of the legitimate business of the Office of Human Resources or the involved department.

- 3. Personnel examinations and answer keys are considered confidential; that is not available to the public or to the candidate except when requested by a valid court order.
- 4. Any information required to be shown to an individual must be made available at a reasonable time and place. Actual costs of making, certifying, and compiling copies may be charged. This would include copier or microfilm costs and a salary charge for the actual time spent.

If there is a belief that the person requesting the information will request information that would require a considerable amount of time to gather, and there is a suspicion that the person will not pay for the data because of the high cost once it is gathered, request an approximate payment in advance.

- 5. If the data is classified as not available (see 1, 2, and 3 above), the requesting person must be notified orally at the time of the request and also in writing as soon as possible.
- 6. Please make sure that these procedures are understood by those individuals in your office who deal with personnel information.

IF YOU HAVE ANY FURTHER QUESTIONS REGARDING THIS POLICY, PLEASE CONTACT:

Human Resources (651) 266-6500

or

City Attorney's Office (651) 266-8710